IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GNANA M. CHINNIAH, <u>et</u> <u>al.</u>,   :
    Plaintiffs   :
                             :   **No. 1:08-cv-01330**
    v.   :
                             :   **(Judge Kane)**
EAST PENNSBORO TOWNSHIP, <u>et</u> <u>al.</u>, :
    Defendants   :

<u>ORDER</u>

AND NOW, on this 15th day of November 2013, **IT IS HEREBY ORDERED THAT**

Defendants' omnibus motion <u>in</u> <u>limine</u> (Doc. No. 221) is **GRANTED IN PART** and **DENIED**

IN PART as follows:

1.   Defendants' motion <u>in</u> <u>limine</u> to preclude Girish Modi from testifying is **DENIED;**

2.   Defendants' motion <u>in</u> <u>limine</u> to preclude Jonathan Greiner from testifying as an expert witness is **GRANTED** to the extent that Mr. Greiner will be allowed to testify solely as a fact witness;

3.   Defendants' motion <u>in</u> <u>limine</u> to exclude Plaintiff Gnana Chinniah's handwritten annotations on certain photographs of East Pennsboro Township properties is **GRANTED** with the exception of any handwritten residential addresses on such photographs;

4.   Defendants' motion <u>in</u> <u>limine</u> to exclude any photographs of East Pennsboro properties taken in 2012 and 2013 is **DENIED**;

5.   Defendants' motion <u>in</u> <u>limine</u> to exclude Plaintiffs from introducing evidence or witnesses related to his Cumberland County tax dispute is **GRANTED**;

6.   Defendants' motion <u>in</u> <u>limine</u> to preclude Plaintiffs from conducting a jury view in East Pennsboro Township is **DENIED WITHOUT PREJUDICE**, because Plaintiffs have since filed a separate motion for a jury view (Doc. No. 235) which shall be the subject of a separate order;

7.   Defendants' motion <u>in</u> <u>limine</u> to exclude Plaintiffs from introducing any evidence obtained since the close of discovery or used to support Plaintiffs' brief in opposition to Defendants' motion for summary judgment (Doc. No. 119) is **DENIED**; and,

8.   Absent a showing at trial that evidence was destroyed, Plaintiffs are precluded from seeking a spoliation jury instruction or attempting to relitigate discovery disputes during trial.

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s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania

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